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Conference of Sealers on Weights and Measures...

First Conference of Sealers on Weights...

Harrisburg, Pa.

1912

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... First conference of sealers on weights and measures of Pennsylvania held at the state capitol, Harrisburg,Pa., September 17 and 18, 1912. 17 p.

At head of title: Department of Bureau of standards.

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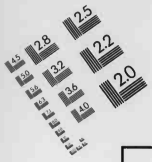

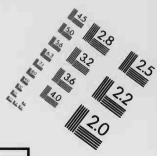

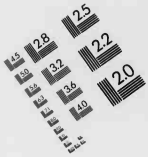

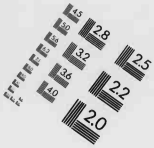

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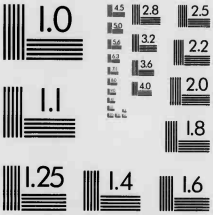

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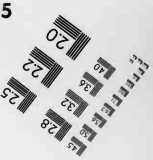

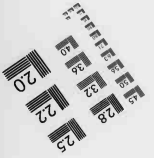

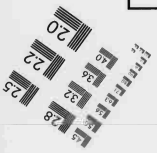

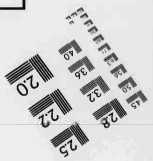

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# First Conference of Sealers on Weights and Measures of Pennsylvania.

HELD AT THE STATE CAPITOL,

HARRISBURG, PA.,

SEPTEMBER 17 AND 18, 1912.

HARRISBURG:
C. E. AUGHINBAUGH, PRINTER TO THE STATE OF PENNSYLVANIA.
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# FIRST CONFERENCE OF SEALERS ON WEIGHTS AND MEASURES OF PENNSYLVANIA.

The first meeting of the Sealers of Weights and Measures of Pennsylvania was held in the Senate caucus room, State Capitol, and called to order by James Sweweney, Chief of the State Bureau of Standards, who outlined the purpose for which the conference had been called.

Mr. Sweeney was then elected permanent chairman of the meeting and E. M. B. Eisenhart as secretary.

The following persons answered to the roll call of membership:

| Name of County. | Sealer. | Post-Office. |
|---|---|---|
| ALLEGHENY COUNTY, | Frank T. Redman, | Braddock. |
| | J. B. Hershey, | McKeesport. |
| CLEARFIELD COUNTY, | Benjamin Habbershon, | Osceola Mills. |
| FAYETTE COUNTY, | W. J. Callaghan, | Uniontown. |
| LACKAWANNA COUNTY, | Thomas M. Reese, | Scranton. |
| | Bayard C. Taylor, | Scranton. Absent. |
| LUZERNE COUNTY, | E. J. Keating, | Wilkes-Barre. |
| | John F. McGroarty, | Wilkes-Barre. |
| NORTHUMBERLAND COUNTY, | W. F. McGovern, | Mt. Carmel. |
| POTTER COUNTY, | Fred. J. Andrus, | Cross Fork. |
| SCHUYLKILL COUNTY, | R. B. Clayton, | Ashland. |
| UNION COUNTY, | P. P. Boyer, | Cowan. |
| WASHINGTON COUNTY, | O. Evans Mikesell, | Washington. |
| ALLENTOWN (City), | B. Frank Rinn, | Allentown. |
| ALTOONA (City), | W. B. Dunn, | Altoona. |
| HARRISBURG (City), | Harry A. Boyer, | Harrisburg. |
| McKEESPORT (City), | Nelson Leadman, | McKeesport. |
| PITTSBURGH (City), | Murray G. Livingston, | Pittsburgh. |
| READING (City), | Peter Texter, | Reading. |
| VANDERGRIFT (Borough), | E. H. Welsh, | Vandergrift. |
| WILKES-BARRE (City), | J. M. Wilcox, | Wilkes-Barre. (Absent.) |

Hon. Henry Houck, Secretary of Internal Affairs, was then introduced, who delivered the address of welcome, and also read a paper dealing with the subject of weights and measures, explaining the reasons for the creation of the Bureau of Standards and the weight and measure law in general:

Gentlemen: It affords me much pleasure to meet with you this morning, to look into your faces, to greet you and to welcome you to this conference as a part of an organization that has been created by the State for the purpose of correcting certain great wrongs that exist, and to give to the people of this great Commonwealth protection against the dishonest vendor in the necessary commodities of life. I, therefore, realize in some measure that we together are en-

gaged in a beneficient work, and that it is entirely meet and proper that we should occasionally assemble in this way to learn from each other how the better to do the work assigned to us and to achieve the best results for all of the people throughout this broad Commonwealth.

There is not the least doubt about the necessity of the work you are engaged in. Not only this State, but other states as well have found it necessary to enact laws to protect the public from becoming the victims of those whose weights and measures are not in accordance with the standard of right. The law-making body of this Commonwealth, realizing the necessity of some uniform standard, passed an Act that was approved by the present Governor, May 11, 1911, providing for the appointment of county and city inspectors of weights and measures, prescribing their duties, prohibiting vendors from giving false or insufficient weights, and fixing the penalties for the violation of its provisions.

On June 23 of the same year the Governor approved an Act for the establishment of a Bureau of Standards in the Department of Internal Affairs of Pennsylvania, the appointment of a Chief of the Bureau, prescribing his duties, authorizing the purchase of a set of standardized weights and measures for the use of the Bureau, and defining such other duties necessary to carry into effect the purpose of these Acts.

As directed by the Act of Assembly, the Secretary of Internal Affairs appointed a Chief, who immediately began an organization of the Bureau. Some little time elapsed before he was able to place the Bureau in working order, as the secretary was obliged, in accordance with the Act, to first purchase the outfit needed, and then have it verified by the National Bureau of Standards at Washington, so that it only became operative about October 1, 1911, not quite one year ago.

During this period the Chief has been in correspondence with all the county commissioners and mayors of cities throughout the State, with a view of having inspectors for counties and cities appointed as rapidly as possible, so that the ends for which the Bureau was created might be speedily attained. During the first year of its existence about forty city and county sealers have been appointed throughout the State and the Bureau has tested and standardized for these inspectors one thousand, two hundred and sixty-four pieces of weights and measures and other devices used for measuring and weighing commodities. The inspectors already appointed are now actively engaged in testing weights and measures in their various districts and are vigorously prosecuting the work in their respective fields of operation, so that already many thousands of these defective weights and measures have been condemned and replaced by



those that meet the required standard, and thus, in this brief time, many of the cities and counties are beginning to feel the beneficient effects of this Bureau.

A few of the inspectors already appointed render monthly reports to the State Bureau, as well as to the mayors and commissioners of their respective districts, and through these reports we have been able to measure in some small degree the necessity of this Department of our State government and the wisdom of those who created it, for through it we hope not only to eliminate the dishonest dealer, but to protect the honest dealer from being compelled to enter into competition with those who are deliberately dishonest and are able to undersell by giving false weights and measures. The reports received by a small number of the city and county sealers show that 47,967 tests were made by them, of which 11,788 were found to be deficient and have been replaced by those of required standard.

While a very few of the inspectors report to the State Bureau the number and character of the tests made, I feel that it should be a duty of all the inspectors to so report, so that this Bureau can learn the exact conditions that prevail and be in a position to correct any wrong that may be found to exist. If we hope to succeed in realizing the purposes of this Bureau, that of protecting the people from being greatly wronged in the purchase of the necessaries of life, the sealer and the Bureau must co-operate and both work for the self-same purpose—that of giving to the people an honest equivalent for their money. The figures quoted are very significant and indicate either gross carelessness or premeditated wrong doing on the part of vendors, and one way to prevent the wrong is for inspectors to be vigilant and to faithfully prosecute their work.

You have also noticed that of all the tests reported to the Bureau about twenty-five per cent. were deficient and do not meet the standard fixed by law, indicating that some of these vendors are reciving profits that are illegitimate and unlawful.

I believe it would be a good thing if the men who are appointed in the counties and cities would report to this Department, so that we might know exactly what is going on in order that we will have full information. Some of the western states have made more progress in this matter than we have, but we ought not to hesitate to take any action that will be beneficial to the Commonwealth.

I am satisfied that the results of this meeting are going to be beneficial to the people of this State and I wish you all success in what you are doing.

On motion, Mr. Murray G. Livingston, chief sealer of the city of Pittsburgh, was appointed a committee of one to meet Hon. John K. Tener, Governor of the Commonwealth, and escort him to the convention at 11.30 o'clock. The Governor was then introduced and delivered the following practical address:

## ADDRESS MADE BY GOVERNOR TENER TO THE SEALERS OF WEIGHTS AND MEASURES, AT HARRISBURG, PENNSYLVANIA, SEPTEMBER 17, 1912.

Mr. Chairman and Gentlemen: I have well in mind the law providing for the standardization of weights and measures enacted at the last session of the General Assembly; also the provision which authorizes the boards of county commissioners and the mayors of the cities of the Commonwealth to appoint as many Inspectors of Weights and Measures as they may deem proper to protect the public from the use of false weights and measures. You are entrusted with a most important duty and should see to it that the laws of the Commonwealth with reference to weights and measures are faithfully enforced, in order that purchasers may be protected at all times.

Public attention is being directed these days to much proposed "cure all" legislation. But it is high time that we should differentiate between the immaterial "isms" now so popular, and those advanced and needed laws that really are beneficial and will make for the comfort and true happiness of the people. I believe that this law, which you are to carry into effect, will prove beneficial to all of our people, and especially protect from imposition the housewife.

When a purchaser orders, say a pound or a quart of a certain commodity, that purchaser should be given exactly the amount asked for, and if that buyer is being imposed upon, it is the State's duty, as well as the duty of the city and county authorities, to remove the possibility of imposition.

Another law vitally affecting the people, unfortunately defeated at the last session of the Legislature, but which will be insisted upon at the next, is an act for the regulation of public utility corporations. While charters are now issued to such corporations, their duties and privileges defined, and a remedy at law afforded, should any patron of a utility company feel aggrieved, yet the present course of procedure is so slow and expensive to the individual and so unsatisfactory generally that it is the almost unanimous opinion that a Public Utilities Commission, with power to enforce its rulings, should be created, to ensure the public reasonable service at reasonable rates. And so in your work it would seem to me we must see to it by constituted authority that such weights and measures as we are led to believe are used are in reality given to us.

You are just taking up these new duties and no doubt many things must be considered. I trust that you will co-operate with each other, to the end that you may all pursue that course which will prove of greatest benefit to the people of the State. I trust that your deliberations here will enable you to determine just what is necessary to enforce the law and to bring to your work that success which its importance deserves. The people of Pennsylvania will not forget to recognize your work if it be well done, and with that end in view you should undertake your duties as well as the purposes of this organization seriously, with the result that your labors will prove beneficial to the community in which each lives, as well as to the State at large.



I wish for your organization every success. And I assure you that in so far as I have influence, the Executive Department will be in sympathy with and assist you in properly enforcing the law.

The Chair then suggested that each sealer, in answer to his name, would address the meeting.

MR. HARRY A. BOYER, sealer of the city of Harrisburg, explained the great efforts which had been made to have a more complete law enacted on the subject of weights and measures, but as the proposition was new, so far as Pennsylvania was concerned, many members of the Legislature were skeptical as to just what benefits would accrue to the public from legislation of this character. And taking into consideration all the circumstances, he believes a fairly good start by way of legislation had been made. He also gave his experience as sealer of the city of Harrisburg, and said that he had met with good success in his work. He found a number of measures and weights which he confiscated and urged upon the dealers the necessity of handling measures only that conformed to the requirements of the State law.

MR. BENJAMIN HABBERSHON, of Clearfield county, said that in his visits to the dealers he found the dry measures to be deficient, and attributed this cause to the fact of there being no uniformity in the manufacture of measures, as in nearly every instance the measures he found to be short were new ones. One of the things he noticed so extremely bad was oil pumps. Of the first forty-one that he examined he found four to be correct. In one instance one pump, supposed to contain one-half gallon, was short nearly one-half pint. In testing scales the worst type he found in his inspections was a small spring scale with the button at the top. Owing to the easy method of adjusting this scale he refused to seal any of that kind and thought some action should be taken by the conference so that sealers may know what should be done with scales of this character. He spoke of the necessary legislation that would remedy certain conditions which confronted him in his county. Mr. Habbershon concluded by reporting the number of inspections he had made during his term of office:

| | |
|---|---|
| Scales, weights and measures sealed, ..... | 864 |
| Scales, weights and measures condemned, .... | 246 |
| Total inspections, ..... | 1,110 |

MR. O. EVANS MIKESELL, sealer of Washington county, spoke at some length upon the provision of the law as it applied to county sealers.

MR. W. F. McGOVERN, sealer of Northumberland county, said that he began work in his county on January 1, 1912, and has made a complete inspection of the various stores, dealers, &c., throughout the county. He brought two prosecutions for violation of the law and in each instance secured conviction. He stated that when he began his work he discovered that there was not a dry quart measure in use in his county, liquid measures being used for measuring commodities that should have been measured with a dry measure. He notified the dealers who sold measures that they had better get a stock of dry measures, as he did not propose to permit the use of liquid measures in measuring commodities which should be measured with a dry measure. Mr. McGovern said that his work was appreciated by the citizens generally, as he had received many letters from business men commending him for the work he had done. He also said that the county commissioners had always expressed a willingness to aid in every way possible to carry into effect the law. Following is a report submitted by Mr. McGovern showing the number of inspections made by him since January, 1912:

| | |
|---|---|
| Scales, weights and measures sealed, ..... | 10,488 |
| Scales, weights and measures condemned, .... | 3,551 |
| Total inspections, ..... | 14,039 |

MR. R. B. CLAYTON, of Ashland, sealer of weights and measures for Schuylkill county, said that he had not compiled any report but that he estimated he had tested nearly 6,000 avoirdupois weights and found 60 per cent. to be incorrect; and 400 scales tested of which about 17 per cent. were incorrect. The greatest trouble he had found was to make the dealers understand what was meant by the inspection of weights and measures. This was particularly true in some parts of his district where there is a large number of foreign dealers who are not entirely familiar with the English language and could not understand the reason why their weights and measures should be tested. Mr. Clayton said that he believed a committee should be appointed to revise the present law so as to meet conditions as they existed.

MR. FRED. J. ANDRUS, from Potter county, stated that his county was very small and he had not yet gottten thoroughly started, but believed in the necessity of a sealer for a small as well as for a large county, expressing himself as wishing to learn from those present as much as possible in connection with the work.



MR. E. J. KEATING, one of the sealers from Luzerne county, said that from the 20th of May, 1912, to the 1st of July of the present year, he and his colleague had inspected 961 instruments; sealed 104, adjusted 92 and condemned the balance. They found a very bad condition in Luzerne county and feel that the law should be so amended that sealers might be able to secure summary convictions. When a case must go through the ordinary channels of being dragged into court the effect is lost upon those who are inclined to be dishonest in their dealings with the public. Mr. Keating said in regard to the weighing of coal in his district, that when he first started he met with a great deal of trouble but now feels that he has the matter in fairly good shape, as he notified the corporations that their wagons must contain the amount of coal purchased. He introduced a system whereby the consumer would receive a check from the dealer, showing the amount of coal delivered to him. By this method he believes that the evil has been, in a great degree, eliminated.

The dry measures in his district are largely made of sheet iron; those that he has tested he has found short from 12 per cent. to 16⅔ per cent. in bushels and one-half peck measures. He states that he usually tests the measures sold by retailers and where he finds them to be deficient he condemns them, thereby preventing their sale. A great majority of the retail dealers have co-operated with the sealers from Luzerne county in this matter, and in pursuing this course it is believed that eventually the sale in that district of any measures that do not conform to the standards will be prevented. A large number of these measures were found among the hucksters, which, of course, were condemned. In all cases they were notified that if they did not stop using these kind of measures the sealers would have to resort to prosecutions.

After the remarks of Mr. Keating there was some discussion by Mr. Mikesell, of Washington county and Mr. Clayton, of Schuylkill county, upon the limitations of the law relative to the inspecting of weights and measures offered for sale by dealers.

After the address of the Governor the meeting adjourned until 2 P. M.

The meeting re-convened at 2 P. M. and Mr. L. A. Fischer, Chief of the Division of Weights and Measures of the National Bureau of Standards, Washington, D. C., was then introduced and delivered an address upon the good work being done by the formation of sealers' associations throughout the various states, as follows:

REMARKS BY MR. LOUIS A. FISCHER, CHIEF OF THE DIVISION OF WEIGHTS AND MEASURES, BUREAU OF STANDARDS, WASHINGTON, D. C.

Mr. Chairman and Sealers of Weights and Measures of the State of Pennsylvania:

I don't want to be put into the position of delivering an address. The fact of the matter is that I came wholly unprepared to speak formally; but I am very glad of an opportunity to say a few words to you informally. First of all, I wish to congratulate you, gentlemen, on the formation of this association. At the present time there are about nine States that have formed associations of this kind. I do not believe that at first any of you will appreciate the true value of this association; but I can assure you that its importance cannot be overestimated. In a movement of this kind, in which public sentiment is so large a factor, it is difficult to accomplish anything even when everybody works together; and it is practically impossible to secure results by individual action. I have no doubt but that some of you at least have had the experience of trying to accomplish something without the co-operation of all interested and so know what it means. This is a conclusion that I have arrived at from our own experience in Washington.

When the Bureau of Standards was organized about ten years ago, we found that practically no State in the Union had an effective way of supervising its weights and measures. In Massachusettts they had a Deputy Commissioner, without any assistance whatever, who was very active in doing what he could alone. In Rhode Island they had a sealer of weights and measures, but the position at that time was usually awarded to a Civil War veteran, who had very little energy left. In practically all of the other states nothing was being done. In a number of the states the weights and measures matters were placed in charge of some State official; in many Western States it would be a professor of physics or of engineering, or of mathematics; and in others the Secretary of State or the State Treasurer. Many of these gentlemen did not know that they had anything to do with weights and measures until the Bureau called their attention to the matter.

Congress not having passed any laws regulating weights and measures, and even doubting its authority to do so, we conceived the idea of getting the States to co-operate and enact uniform legislation. With that end in view, in 1904 invitations were sent to all the governors to send a delegate to Washington to confer and attempt to bring about a better condition of affairs. After a great deal of labor and solicitation we succeeded in getting eight states and the District of Columbia to send delegates. You can imagine how little



most of the delegates knew when they arrived; and I fear they did not know very much more when they went away. Nevertheless, there was a very keen interest manifested in the subject. Before they adjourned a permanent organization had been formed; and as they realized that there was much to be done, passed a resolution requesting the Bureau to call annual conferences, which has been done. These conferences have increased in the number of their attendance and the importance of the business transacted. I am sure that many of the delegates look forward to coming back each year. I think I would be safe in saying that the legislation enacted throughout the states in the past two years is due almost entirely to the activity of the members of the organization which was then formed.

During the past two years (most of the legislatures meet every two years) thirty-two of the states enacted legislation on weights and measures of one kind or another, some of it important and some not so important, Pennsylvania being among the former. Some of the bills introduced which were very good when drafted were not adopted in their entirety; and I am very sorry that they were changed, for in many cases the changes made were not desirable. However, if the bills are adopted substantially as proposed, it will be a simple matter to modify them later on when they are found to be inadequate. For this reason we welcome legislation by the states at this time, even though it is not perfect or the most desirable; but, of course, we desire only such legislation as takes a step in the direction of honest weights and measures. If we cannot have it perfect, we must not condemn it if it is not vicious, as it shows that some people in the states are active in the matter. We know that as they become experienced, and as the legislatures take an interest in it, these imperfections will be eliminated.

This matter has been handled in much the same way by Congress. At first it was impossible to get that body to take any interest in the subject at all; it had not enacted any laws on weights and measures for one hundred and twenty-five years; and many members could not understand why it was necessary to do anything at this time. Moreover, many members doubted that Congress had any authority to enact legislation dealing with trade weights and measures under the clause in Article I, Section 8, of the Constitution, which gives Congress the power to fix the standard of weights and measures. This question has never been raised for judicial interpretation; but Attorney General Bonaparte, at the request of the Bureau, rendered an opinion that under this clause Congress not only had the authority to state what the standards are but the power, also, to enforce the use of these standards throughout the country.

As I said before, no legislation has been enacted by Congress, except the legalization of the Metric System in 1866, until the session just closed. The legislation to which I now refer is very unimportant from one standpoint and very important from another. It is the act establishing a standard barrel and grades for apples entering into interstate commerce; and provides that they may be labelled U. S. Standard if the apples are of a certain size and quality and packed in a barrel of a specified size. I say that the Act is important; and because it disclosed the widespread interest in weights and measures legislation. Practically every horticultural society in the country was supporting it, as well as the apple growers and shippers, various produce exchanges, and all the State experimental stations. The enactment of this law was a splendid example of the difficulty of securing legislation, for notwithstanding the fact that it was endorsed and vigorously supported by all these interests and had practically no opposition, and while it was not mandatory but merely permissive, it barely passed through Congress. It finally passed, however, and while its direct benefits will be very great, I believe its indirect influences will be of far greater importance. The discussion of this bill brought the question squarely up to Congress, and many of them were awakened to the pressing need for National weights and measures legislation and have since so expressed themselves.

A bill following along the lines of the Act just mentioned was reported to the House by the Committee on Coinage, Weights and Measures during the closing days of the last session. This bill is based on the clause of the Constitution giving Congress the power to fix the standard of weights and measures, rather than on the interstate commerce clause as is the apple barrel act. It fixes the size of the barrel for all dry commodities not usually sold by weight and prescribes a penalty for the use of any other kind of barrel. If enacted it will be a United States' law, but it will not necessarily have to be enforced by Federal officials. I am very anxious to see this bill enacted, not because it is very far-reaching but for the reason that it will mark a certain policy on the part of Congress to enact weights and measures legislation under the authority given it to fix the standards, without regard to State boundaries.

Another bill introduced in Congress, which has received very little consideration but which I think will have more in the future, is one giving the Bureau of Standards authority to pass upon types of weighing and measuring apparatus, and to prescribe specifications for them. You gentlemen know that some of the states have prescribed specifications according to which apparatus sold in these states must be constructed. Now, if these specifications were uniform it would be all right; but it must be perfectly obvious to every



one that it is impracticable, if not impossible, for a manufacturer to comply with the specifications for their product from every state in the Union, depending upon the judgment of the State officials. Complying with the specifications of one authority entails sufficient inconvenience; and I believe that manufacturers are beginning to realize at the present time the necessity for having types of apparatus regulated by one office.

I might continue to talk here for a long time on matters more or less intimately connected with your work, but I feel that I have already taken up a sufficient amount of your time. I am glad to be with you, and again congratulate you on the formation of this society, which, I am satisfied, will increase in interest and importance each coming year. If I can be of any service to you at this or any future time, I shall be very glad, indeed, to have you call on me. I thank you, gentlemen.

The Chair then read a telegram received from the Fairbanks Scale Company, extending an invitation to the sealers to be present at their shops at Harrisburg, Pa., for the purpose of witnessing a practical demonstration of testing large scales. On motion, it was decided that the sealers accept the invitation extended to them by the Fairbanks Company and go to their shops on Wednesday morning.

A motion was made that the Chair be empowered to appoint a committee on legislation; also a committee on tolerances and one on by-laws, these committtees to report on Wednesday morning any recommendations which they believed necessary to facilitate the work of sealers. The Chair named the following committees:

Committee on Legislation.

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| Murray G. Livingston, Chairman. | W. F. McGovern. |
| Harry A. Boyer. | Fred. J. Andrus. |
| E. J. Keating. | O. Evans Mikesell. |
| Frank T. Redman. | W. B. Dunn. |

Committee on Tolerances.

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| R. B. Clayton, Chairman. | Benjamin Habbershon. |
| Nelson Leadman. | W. J. Callaghan. |
| B. Frank Rinn. | |

Committee on By-Laws.

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| J. B. Hershey, Chairman. | James Sweeney. |
| E. H. Welsh. | |

There was some discussion on the tolerances to be accepted. The conference decided that the whole matter of tolerances should be left with the committee.

Mr. O. Evans Mikesell then suggested that the conference take some action upon determining the proper title of one who is engaged in inspecting weights and measures, as in some instances they are

termed sealers, others, inspectors, etc., and he believed that some definite title should be adopted. The real purpose of bringing this matter before the conference was to make the title uniform so that they would be known either as sealer or inspector of weights and measures. Under the present law some are designated as sealers and others as inspectors, and it was thought that this might possibly cause some confusion. After considerable discussion the subject was allowed to remain as it is at the present time.

The hour of three o'clock having arrived, the conference adjourned to meet Wednesday morning at 8.45, to go to the Fairbanks Company's shops for the purpose of witnessing the demonstration of testing scales. The conference then re-convened at 10.30 Wednesday morning.

On motion, the reading of the minutes of the previous meetings was dispensed with.

The Chair then announced that the names of each sealer would be called and he would be expected to respond by addressing the conference on any subject which he believed to be of interest to them in their work as sealers.

MR. MURRAY G. LIVINGSTON, of Pittsburgh, said that he was not much older in the business than the majority of the gentlemen present; that he started the work on the 2nd day of last November to make inspections in the city of Pittsburgh. The city councils passed an ordinance creating the office of sealer and put it in Mr. Livingston's charge, and gave him a certain number of assistants. After the ordinance had been passed and signed by the mayor of Pittsburgh the law. were looked into and Mr. Livingston was satisfied that there was not sufficient law to carry him through. When the Legislature convened at Harrisburg he had a measure on the subject of weights and measures introduced by a member from Allegheny county. After introducing this bill it was found that several others had been introduced bearing on the same subject. After learning of the several bills being submitted to the Legislature, it was deemed wise to have one bill framed that would cover the entire subject. The present weight and measure law of Pennsylvania is the result of the work done by Mr. Livingston and his friends during that session. Then the councils of the city of Pittsburgh passed an ordinance to conform to the State law. After securing his equipment, councils then appropriated money for the salaries of seven sealers who are now engaged in the work with the chief sealer. Their first inspections were in the principal market house of Pittsburgh. The people, having no knowledge of where the work was to be begun, became very much interested and crowds thronged the market house during these inspections, which lasted one and one-half days.



Mr. Livingston said that he was expected to make two inspections throughout the city each year, which was impossible to do with the present force. He said that one inspection of the entire city had been made up to a month ago. He started out on the theory that every man in the city of Pittsburgh was honest, and, in talking the matter over with the mayor, it was decided not to enter any prosecutions in any of the cases. That if the scales or measures were wrong, he wanted to give the dealer the advantage, and so published it in the papers that no prosecutions would be entered on the first inspection tour. However, it was found necessary to enter suit against four people. After the inspection had been made these people either changed their scales or substituted measures, and in each case a conviction was secured. The dealers were notified that where any violation of the law was found on the second inspection proceedings would be entered against those guilty of such violations. A fine of from $1.00 to $50.00 is imposed for the first offense; $50.00 for the second offense; $200.00 and ninety days imprisonment for the third offense. Not very much trouble was encountered on these inspections, occasionally coming across an obstinate person.

Mr. Livingston then submitted his report of the work done since his appointment (ten months) as chief of the sealers of weights and measures of Pittsburgh, showing the total inspections to be 51,447; the number of scales, weights and measures condemned being 9,294. The report also shows, for the same period, that he had brought suit against fifty-nine people for violation of the weight and measure law and in each case succeeded in securing a conviction, the amount of fines paid by those convicted ranging from $5.00 to $50.00.

Mr. Livingston continued to speak in a general way of the work accomplished by him, describing the type of scales, weights and measures which he had refused to seal, believing that through their use the people were being defrauded.

MR. JOHN F. McGROARTY, of Luzerne county, after being called upon for some remarks, said that he believed Mr. Livingston had thoroughly covered the ground and that his own experience was much along the same lines. He desired to make one suggestion, and said that he had been seriously thinking that if the adjusting feature of every scale was so guarded that no one except the proprietor of the store and the sealer would have access to it, it would be a big protection to the scales. Scales where the adjustments are so conveniently located and where any person might manipulate them to suit his own idea in selling, just as he pleases, are not the best things to have, and these adjustment features should be so protected that they should be under lock and key, or some other device equally as safe, where they could not be handled so easily. Some dealers make a practice of ad-

justing the scales when they know the sealer is about to make a test. If the adjustments were so placed that they could not so readily be changed it would be much more of a protection to the people than under the present regulations.

In addition, Mr. McGroarty said he thought it would be a good thing for the State Department of Standards to have a scale manufactured at a reasonable price to enable the public to buy one, claiming that there should be a scale in every home to weigh every purchase made, and the scale should be dependent and reliable, so that any shortage could be immediately reported to the Department.

Mr. McGroarty also said that he believed there should be a standing committee who would be empowered to look after the legislation relative to weights and measures. He said he believed that the county commissioners and mayors of cities should furnish some conveyance for the purpose of transporting the equipment which the sealer is compelled to use in making tests, as in many instances the sealer is completely fatigued from being compelled to carry his scales, weights, measures, etc. The cost of this conveyance would be very small, and the benefits accruing to the people from the work done by sealers is far greater in proportion than the small amount which it would cost to make the work easier for the inspector.

MR. E. H. WELSH, sealer for the borough of Vandergrift, in his remarks said that he just received his appointment and so far had not been very active in the work, and that he would prefer to listen to those sealers who have had greater experience in the work.

MR. NELSON LEADMAN, of McKeesport, said that he began work as a sealer a little over three years ago and the greatest trouble that he had experienced was with the bottomless peck measures, that the purchaser would only be able to get three-quarters of a peck, and gives that as his reason for refusing to seal or approve of such measures. He also said that if the bottoms were placed in such measures they would then be required to seal them, providing they contain the required number of cubic inches. His theory is a cube, stating that while it may seem peculiar, a cube with sufficient cubic inches for a peck or one-half peck measure would be uniform in all parts of the country, and believed it to be a better measure than the ones now generally in use.

MR. W. J. CALLAGHAN, of Fayette county, said that he had just received his equipment and up to this date had done little or no work. Preferred to listen to what the others might have to say on the subject, as he realized he would be able to get a great deal of valuable information from those experienced in the work as sealers.

MR. B. FRANK RINN, sealer from Allentown, stated that he had just received his appointment and, consequently, has had very little



experience. He stated that he had the report furnished him by the Bureau of Standards published in the daily papers of his city, together with an article which he had himself written, and he believed that it did some good, from the fact that the next day a dealer requested him to inspect his measures. This dealer threw out his old measures and bought new ones, saying that they are all different but all guaranteed. As Mr. Rinn had no equipment at that time he was unable to make the test requested by the dealer.

MR. FRANK T. REDMAN, of Allegheny county, speaking for himself and his colleague, Mr. J. B. Hershey, said that they had just received their appointments on the first of September and up to the present time had done no field work, but at the next conference they hoped to be able to make a report on the work done by them.

The Chair then said that the conference was ready to hear the reports of the various committees.

Mr. Livingston, reporting for the Committee on Legislation, suggested several amendments to the present law which this committee believed necessary to more successfully carry out the work. The report was then adopted and the committee retained and empowered to co-operate with the Bureau of Standards in the enactment of legislation which they believed necessary.

Mr. Clayton, speaking for the Committee on Tolerances, reported that the committee would recommend the tolerances approved by the National Conference held at Washington, February, 1912.

On motion, the report of the Committee on Tolerance was adopted.

Mr. Hershey, chairman of the Committee on By-laws, made his report; having read each section of the laws and amendments, the conference adopted the by-laws and amendments as recommended by the committee and requested the Chief of the Bureau of Standards to have several copies printed for distribution.

A motion was then made by Mr. Livingston that the conference endorse what is known as the Tuttle bill now before Congress. The motion was unanimously carried.

The conference then took up the work of permanent organization. The following officers were unanimously elected for the ensuing term:

President, Murray G. Livingston.

1st Vice President, W. F. McGovern.

2nd Vice President, John F. McGroarty.

Treasurer, B. Frank Rinn.

Secretary, James Sweeney.

Sergeant-at-Arms, O. Evans Mikesell.

Membership Committee.

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| W. B. Dunn, Chairman. | J. B. Hershey. |
| Nelson Leadman. | Frank T. Redman. |
| R. B. Clayton. | E. H. Welsh. |
| Fred. J. Andrus. | |

A resolution was then introduced calling upon the county commissioners and mayors of cities throughout the State to avail themselves of the privileges of the Act of 1911 by appointing sealers of weights and measures in their respective districts, that the public might be protected from those who through unscrupulous methods, for the purpose of increasing their profits, are defrauding the people by short weight and measure.

Mr. Murray G. Livingston was then inducted to office and he delivered an address to the conference on the importance of the work in which they were engaged, expressing his thanks for the honor which they had conferred upon him and assuring them that he would do everything in his power to merit that honor by discharging the duties of his office faithfully by putting forth every effort possible to advance the cause for which the association had been formed, suggesting, however, that in order to do this he must have the hearty co-operation of every member of the organization.

A vote of thanks was then extended to the Hon. John A. Tener and Hon. Henry Houck.

Mr. McGroarty suggested that the legislative committee, after framing a bill, would send a copy of the same to each sealer throughout the State, so that he might be able to interest the member from his district in behalf of the passage of said bill during the session of the Legislature in 1913.

A motion was then made that a list of the names and addresses of the members of this conference be forwarded to Mr. L. A. Fischer, Chief of Division of Weights and Measures, Washington, D. C., for the purpose of having him forward to them a copy of the proceedings of the last National conference.

There was some discussion then as to where the next conference of Pennsylvania sealers should be held. Upon motion, it was decided that the conference be held at Harrisburg, the date to be fixed by the Executive Committee.

It was then suggested that the Chief of the Bureau of Standards sent to each sealer a form from which he would be able to make out his reports to the Bureau.

Mr. Peterman, a representative of the firm of Henry Troemner, of Philadelphia, was called upon to give the members of the conference the benefit of his experience relative to weights, measures, &c.

"I hardly know what I could say at this time. The time is short, and to go into the intricate technical discussion of scales, weights and



measures won't be very interesting to you, particularly as it is about closing time. The only thing that might be of moment is to say that the concern that I represent is in full sympathy with all the movements for the perfection of a system of weights and measures that will be universal in its operation throughout the States, and also to place at the disposal of the sealers the full force that our concern possesses in their efforts to help in the construction, manufacturing and the operation of such apparatus as will be needed. I don't know that I can say anything more that would be in line of what you would need to know or what you would need to work with than that."

Mr. Conners, a representative of W. & L. E. Gurley, of Troy, N. Y., was asked to give the benefit of his experience to the members present. Mr. Conners said:

"I could not say much that has not been thoroughly covered by the meeting in the last few days. The only thing that I would like to impress upon the sealers would be to follow the example of the sealer from Pittsburgh and never mind the law. Take the dealer into court and let him do the fighting every time. If the sealers take a common stand against false weights and measures, bring him in and advertise him and let him do the fighting. By using this method you will get along a great deal better and practically eliminate short weight and measure from the State."

Some discussion then took place regarding the wooden butter dishes. It was the general opinion that when the purchaser asks for a pound of butter he should receive sixteen ounces, as it is not expected that he will pay for from one to two and one-half ounces of wood or other material that might be weighed with the butter. The law contemplates that the purchaser must receive in every instance the full amount of his purchase.

A motion to adjourn was adopted, to re-convene at the call of the Executive Committee.

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TITLE